

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**DEWAYNE JACKSON COX,**  
**Plaintiff**

**v.**

**CAPT. KELLER, *et al.*,**  
**Defendants.**

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**Case No. 7:12-cv-00154**

**STIPULATION OF DISMISSAL**

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure the parties, by counsel, hereby stipulate to dismissal of this action.

The Parties further stipulate that dismissal is without prejudice and will not operate as an adjudication on the merits of this matter, and that the Defendants herein waive their right to assert and will not raise the statute of limitations as a defense if this action is re-filed within 14 days of the date this Stipulation of Dismissal is filed.

Respectfully Submitted,

DEWAYNE JACKSON COX

/s/ Melvin E. Williams

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CAPTAIN CHAD KELLER,  
SERGEANT WILLIE SMITH,  
MAJOR GREG WINSTON,  
OFFICER BRADLEY QUINN,  
OFFICER JOSHUA PINKERMAN, AND  
OFFICER BENJAMIN BAXLEY

/s/ Jim H. Guynn, Jr.

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JUSTIN MILES

/s/ John Johnson

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing pleading was electronically filed with the CM/ECF system on the 26<sup>th</sup> day of August 2016, which will electronically send notification to counsel of record.

/s/ Melvin E. Williams  
Of Counsel